

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Wealthy Desai

Confirmation No. 1479

Application No.: 10/673,751

Group Art Unit: 3692

Filed: September 29, 2003

Examiner: Clement B. Graham

For: **SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING CUSTOMER SALES INFORMATION**

Date: November 10, 2008

Mail Stop APPEAL

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. § 41.37

Sir:

This Appeal Brief is filed pursuant to the "Notice of Appeal to the Board of Patent Appeals and Interferences" filed on July 25, 2008.

REAL PARTY IN INTEREST

The real party in interest is AT&T Intellectual Property I, L.P., by transfer of ownership from AT&T Delaware Intellectual Property, Inc., formerly known as BellSouth Intellectual Property Corporation, pursuant to an Assignment from the inventor, recorded at the U.S. Patent and Trademark Office on September 30, 2003 at reel number 014550 and frame number 0333.

RELATED APPEALS AND INTERFERENCES

Appellants are aware of no interferences that would be affected by the present appeal.

STATUS OF CLAIMS

At the time of a Final Office Action dated March 24, 2008 (the Final Action), Claims 1-26, 28-31, 34-37 and 39-42 were pending. Claims 27, 32, 33, 38 and 43 have been cancelled. All pending claims stand rejected under Section 103(a) and are, therefore, the subject of this appeal.

STATUS OF AMENDMENTS

The Appendix of Claims submitted herewith reflects the state of the claims as examined in connection with the Final Action; no other amendments have been made.

SUMMARY OF CLAIMED SUBJECT MATTER

The subject matter of independent Claim 1 is directed to a method for providing customer sales information, the method comprising: sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server (exemplified by block 340 shown in **Figure 6** and described at page 23, lines 5-10); retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization (exemplified by block 342 shown in **Figure 6** and described at page 23, lines 10-13); and sending the customer sales information from the CSIPC server to the terminal, wherein the customer sales information is based on the external credit rating information (exemplified by block 344 shown in **Figure 6** and described at page 23, lines 13-15).

The subject matter of independent Claim 21 is directed to a method for providing customer sales information, the method comprising: sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a wireless signal from a wireless communication device that is remote from the CSIPC server (exemplified by block 302 shown in **Figure 4** and described at page 22, lines 15-19); retrieving customer information associated with the customer using the CSIPC server (exemplified by block 304 shown in **Figure 4** and described at page 22, lines 20-21); and sending the customer sales information to the wireless communication device from the CSIPC server using a wireless signal, wherein the customer sales information is based on the customer rating information (exemplified by block 306 shown in **Figure 4** and described at page 22, lines 21-23).

The subject matter of independent Claim 24 is directed to a method for providing customer sales information, the method comprising: sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number (exemplified by block 320 shown in **Figure 5** and described at page 22, lines 28-31); retrieving customer rating information associated with the telephone number using the CSIPC server (exemplified by block 322 shown in **Figure 5** and described at page 22, lines 31-34); and sending the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information (exemplified by block 324 shown in **Figure 5** and described at page 23, lines 1-3).

The subject matter of independent Claim 26 is directed to a method for providing customer sales information, the method comprising: sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization (exemplified by block 360 shown in **Figure 7** and described at page 23, lines 20-22); retrieving customer rating information associated with the customer using the CSIPC server (exemplified by block 362 shown in **Figure 7** and described at page 23, lines 23-24); and automatically determining a sales term using the CSIPC server, wherein the sales term is based on the customer rating information (exemplified by block 364 shown in **Figure 7** and described at page 23, lines 24-26); and sending the sales term to the sales representative from the CSIPC server (exemplified by block 366 shown in **Figure 7** and described at page 23, lines 26-28); wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment (described at page 23, lines 29-30).

The subject matter of independent Claim 34 is directed to a system for providing customer sales information, the system comprising: a customer sales information processing and communication (CSIPC) server associated with and under the control of a business

organization (exemplified by block **200** shown in **Figure 1** and described at page 14, lines 3-4 and 17-19); and a terminal that is remote from the CSIPC server and operable to send a request for customer sales information associated with a customer from a sales representative of the business organization to the CSIPC server (exemplified by block **110** shown in **Figure 1** and described at page 14, lines 4-6); wherein the CSIPC server is configured to: receive the request from the terminal (exemplified by arrow **102** shown in **Figure 1** and described at page 14, lines 12-14); retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system, wherein the ECRA system is not associated with the organization (exemplified by block **150** shown in **Figure 1** and described at page 14, lines 6-7); and send the customer sales information to the terminal, wherein the customer sales information is based on the external credit rating information (exemplified by arrow **104** shown in **Figure 1** and described at page 14, lines 12-14).

The subject matter of independent Claim 35 is directed to a system for providing customer sales information, the system comprising: a customer sales information processing and communication (CSIPC) server associated with and under the control of a business organization (exemplified by block **200** shown in **Figure 1** and described at page 14, lines 3-4 and 17-19); and a wireless communication device that is remote from the CSIPC server and operable to send a request for customer sales information associated with a customer from a sales representative of the business organization to the CSIPC server (exemplified by remote terminal **110** shown in **Figure 2** and described at page 15, lines 6-8); wherein the CSIPC server is configured to: receive the request from the wireless device (exemplified by arrow **102** shown in **Figure 1** and described at page 14, lines 12-14); retrieve customer rating information associated with the customer using the CSIPC server (described at page 14, lines 12-14); and send the customer sales information to the wireless communication device using a wireless signal, wherein the customer sales information is based on the customer rating information (exemplified by arrow **104** shown in **Figure 1**, remote terminal **110** shown in **Figure 2** and described at page 14, lines 12-14 and page 15, lines 6-8).

The subject matter of independent Claim 36 is directed to a system for providing customer sales information, the system comprising: a customer sales information processing

and communication (CSIPC) server associated with and under the control of a business organization (exemplified by block **200** shown in **Figure 1** and described at page 14, lines 3-4 and 17-19), wherein the CSIPC server is configured to: receive a request for customer sales information associated with a customer from a sales representative of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number (exemplified by arrow **102** shown in **Figure 1** and described at page 14, lines 12-14 and page 22, lines 28-31); retrieve customer rating information associated with the telephone number (described at page 22, lines 31-33); and send the customer sales information to the terminal, wherein the customer sales information is based on the customer rating information (exemplified by block **324** shown in **Figure 5** and described at page 23, lines 1-3).

The subject matter of independent Claim 37 is directed to a system for providing customer sales information, the system comprising: a customer sales information processing and communication (CSIPC) server associated with and under the control of a business organization (exemplified by block **200** shown in **Figure 1** and described at page 14, lines 3-4 and 17-19), wherein the CSIPC server is configured to: receive a request from a sales representative of the business organization for customer sales information associated with the customer (exemplified by arrow **102** shown in **Figure 1** and described at page 14, lines 12-14); retrieve customer rating information associated with the customer (described at page 14, lines 12-14); automatically determine a sales term, wherein the sales term is based on the customer rating information (exemplified by block **364** shown in **Figure 7** and described at page 23, lines 24-26); send the sales term to the sales representative (exemplified by block **366** shown in **Figure 7** and described at page 23, lines 26-28); wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment (described at page 23, lines 29-30).

The subject matter of independent Claim 39 is directed to a computer program product for providing customer sales information, the computer program product comprising: a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising: computer readable program

code configured to send a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server (exemplified by remote terminal 110 shown in **Figure 3** and described at page 16, lines 17-18); computer readable program code configured to retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization (exemplified by external customer information retrieval module 232 shown in **Figure 3** and described at page 25, lines 15-16); and computer readable program code configured to send the customer sales information from the CSIPC server to the terminal, wherein the customer sales information is based on the external credit rating information (exemplified by communication module 224 shown in **Figure 3** and described at page 26, lines 25-27).

The subject matter of independent Claim 40 is directed to a computer program product for providing customer sales information, the computer program product comprising: a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising: computer readable program code configured to send a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a wireless signal from a wireless communication device that is remote from the CSIPC server (exemplified by remote terminal 110 shown in **Figure 3** and described at page 15, lines 6-8 and page 16, lines 17-18); computer readable program code configured to retrieve credit rating information associated with the customer using the CSIPC server (exemplified by modules 226, 230, 232, 234 shown in **Figure 3** and described at page 25, lines 1-32); and computer readable program code configured to send the customer sales information to the wireless communication device from the CSIPC server using a wireless signal, wherein the customer sales information is based on the customer rating information (exemplified by communication module 224 shown in **Figure 3** and described at page 15,

lines 6-8 and page 26, lines 25-27).

The subject matter of independent Claim 41 is directed to a computer program product for providing customer sales information, the computer program product comprising: a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising: computer readable program code configured to receive a request for customer sales information sent from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number (exemplified by communication module 224 shown in **Figure 3** and described at page 24, lines 20-29); computer readable program code configured to retrieve customer rating information associated with the telephone number using the CSIPC server (exemplified by modules 226, 230, 232, 234 shown in **Figure 3** and described at page 25, lines 1-32); and computer readable program code configured to send the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information (exemplified by communication module 224 shown in **Figure 3** and described at page 26, lines 25-27).

The subject matter of independent Claim 42 is directed to a computer program product for providing customer sales information, the computer program product comprising: a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising: computer readable program code configured to receive a request for customer sales information sent from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization (exemplified by communication module 224 shown in **Figure 3** and described at page 24, lines 20-29); computer readable program code configured to retrieve customer rating information associated with the customer using the CSIPC server (exemplified by modules 226, 230, 232, 234 shown in **Figure 3** and described at page 25, lines 1-32); and computer readable program code configured to automatically determine a sales term using the CSIPC

server, wherein the sales term is based on the customer rating information (exemplified by internal customer rating and term determining module **234** shown in **Figure 3** and described at page 25, lines 28-32); and computer readable program code configured to send the sales term to the sales representative from the CSIPC server (exemplified by communication module **224** shown in **Figure 3** and described at page 26, lines 25-27); wherein the sales term includes at least one of the maximum allowed sale amount and a required down payment (described at page 23, lines 29-30).

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether Claims 1-26, 28-31, 34-37 and 39-42 are properly rejected under Section 103(a) based on U.S. Publication No. 2003/0120591 to Birkhead et al. (Birkhead) in view of U.S. Patent No. 6,847,942 to Land et al. (Land).

ARGUMENT

A. Introduction

To establish a *prima facie* case of obviousness, the prior art reference or references when combined must teach or suggest all the recitations of the claims, and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. M.P.E.P. §2143. A patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 1, 15 (2007). A corollary principle is that, when the prior art teaches away from combining certain known elements, discovery of a successful means of combining them is more likely to be unobvious. *Id.* at 12. A factfinder must ask whether the improvement is more than the predictable use of prior art elements according to their established functions. *Id.* at 13. When it is necessary for a factfinder to look at interrelated teachings of multiple patents, the factfinder must determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. *Id.* at 14.

B. The Rejections under Section 103(a)

Independent Claims 1, 21, 34, 39, 40 and 41 stand rejected under Section 103(a) over Birkhead in view of Land. However, Appellant notes that Land is not referenced in the Final Action in support of the rejections of independent Claims 24, 26, 35, 36, 37 and 42.

1. Claim 1 is Patentable over Birkhead in view of Land

Claim 1 recites, *inter alia*:

a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server

A method as claimed may substantially facilitate efficient and effective use of customer sales information in customer negotiations and the like. Where a remote terminal such as a wireless communication device is used, the sales representative of the business organization can request and receive the information while away from a central location and, more particularly, while at or traveling to a customer's facility. The method may enable the sales representative to negotiate a sale on a realtime basis.

By contrast, U.S. Published Patent Application No. 2003/0120591 (Birkhead) discloses methods wherein a customer, not a sales representative, contacts (*e.g.*, by telephone) a customer service representative to request a credit limit increase. Upon receiving the request from the customer, the customer sales representative enters customer information into a personal computer (PC), which is then used to "exchange information with a credit rating service device . . . associated with, for example EQUIFAX, INC.®" [0030]. The credit rating service presumably is not associated with and under the control of a business organization for which the customer is a sales representative. Although Birkhead does provide for the possibility of indirect communication with the credit rating service device, its teaching is limited to the use of a "local server" that relays the information provided by the customer

service representative's PC to the credit rating service [0032]. Thus, Birkhead does not suggest sending a request from a sales representative of a business organization, using a remote terminal, to a CSIPC server associated with and under the control of the business organization.

Nor would it have been obvious to one of ordinary skill in the art to have modified the method of Birkhead to correspond to Claim 1. Birkhead is particularly directed to providing methods and systems for receiving credit requests from customers via a call center or the like. Land does not appear to suggest modification of the Birkhead method in a manner that would satisfy the deficiencies of Birkhead in this regard.

The only portions of Birkhead cited in support of any of the rejections are:

(see column 1 para 0013 and 0015 and column 2 para 0035 and column 3 para 0040 and 0046 and column 6 claim 1 and 22).

(Final Action, pages 2-15)¹.

¹ Birkhead paragraph [0013] states:

[0013] Another embodiment comprises: means for receiving information associated with a request for an increased credit limit via a telephone call between a customer and a customer service representative; means for automatically transmitting credit request information from a customer service representative device to a credit rating service device via a communication network; means for receiving a response from the credit rating service device, the response being based on an estimated income determined in accordance with mortgage information associated with the customer; and means for providing the response to the customer in substantially real time via the telephone call.

Paragraph [0015] states:

[0015] Yet another embodiment comprises: means for receiving from a customer information associated with a credit request; means for locally determining if a response to the credit request is a denial; means for automatically transmitting information to a credit rating service device; means for receiving a response to the credit request based on credit rating information; and means for providing the response to the customer in substantially real time.

Paragraph [0035] states:

[0035] At (B), credit request information is transmitted from the customer service representative 230 to a credit rating service 250, and the customer service representative 230 receives a response from the credit rating service 250 at (C). The customer service representative 230 then provides the response to the customer at (D). For example, the customer service representative 230 may inform the customer that his or her request has been approved or denied via the telephone call.

Paragraph [0040] states:

[0040] The credit request may be received, for example, via a telephone call from the customer. That is, the credit request may be received by a customer service representative who uses a PC to forward information about the request to a credit rating service 150.

The only portion of Land cited in support of any of the rejections is col. 17, lines 49-61 (Final Action, pages 1-2, 6-7, 9-10 and 12-14)². The Examiner argues with respect to Claim 1 (as well as Claims 2, 21, 34, 39, 40 and 41):

Birkhead fail to explicitly teach wherein the customer sales information is based on the external credit rating information. However Land discloses pertaining to the customer further comprises the steps of:
Producing at the business enterprise device an electronic file

Paragraph [0046] states:

[0046] In addition to the customer's stated income level and the estimated income, the response to the customer's credit request may be based other information determined by, or received via, the credit rating service device 150. Such information may include, for example, a customer name, a customer identifier (e.g., a credit card number or a Social Security number), a current credit limit, and a requested credit limit. The information may also include a product or purpose identifier (e.g., a credit request associated with a home improvement purchase might be approved while a similar request associated with a luxury cruise ticket would be denied). Other factors that might be used to determine the response include an account open date (e.g., a request associated with a longstanding account may be more likely to be approved), a current account balance, an account source (e.g., mail or facsimile), an indication of home ownership, a last billing date, a delinquency status or profile, information associated with a prior credit limit increase request, information associated with a prior payment, a performance score, and a non-prime score. Still other factors might include trade information (e.g., indicating a number of trades that were past due at least thirty days during the past twelve months), inquiry information (e.g., indications that other parties have inquired about the customer's credit), bankruptcy information, lien information, collection information, an indication that the customer is deceased, and debt information.

Claims 1 and 22 of Birkhead read as follows:

1. A method of facilitating responses to credit requests, comprising: receiving via a customer service representative information associated with a customer's credit request; estimating income information associated with the customer; and arranging for the customer to receive a response to the credit request in substantially real time.

22. A computer-implemented method of facilitating responses to requests for increased credit limits, comprising: receiving information associated with a request for an increased credit limit via a telephone call between a customer and a customer service representative; automatically transmitting credit request information from a customer service representative device to a credit rating service device via a communication network; receiving a response from the credit rating service device, the response being based on an estimated income determined in accordance with mortgage information associated with the customer; and providing the response to the customer in substantially real time via the telephone call.

² The cited passage from Land states:

7. A method in accordance with claim 1 wherein said step of retrieving through the business enterprise device credit information pertaining to the customer further comprises the steps of:
producing at the business enterprise device an electronic file showing a customer payment history for electronic input to at least one credit agency;
retrieving information electronically including trade information, aging, credit ratings, credit scoring, and suggested credit limit information from at least one reputed credit agency; and
receiving at the business enterprise device an electronic file from the at least one reputed credit agency.

Land at col. 17, lines 49-61.

showing a customer payment history for electronic input to at least one credit agency; retrieving information electronically including trade information aging, credit ratings credit scoring, and suggested credit limit information from at least one reputed credit agency; and receiving at the business enterprise device an electronic file from at least one reputed credit agency (see column 17 lines 49-61).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Birkhead to include the customer sales information is based on the external credit rating information taught by Land in order to manage various functions related to accounts receivables credit granting collection dispute management and reporting and remittance processing.

(Final Action, pages 1-2, 6-7, 9-10 and 12-14). Neither the passages cited from Birkhead and Land nor the arguments set forth in the Final Action appear to in any way address the patentable distinctions between Birkhead and the subject matter of Claim 1 (or the subject matter of any of the claims discussed below) identified by Appellant. Land does not cure the deficiencies of Birkhead with respect to any of the claims discussed herein. The failure of Birkhead to disclose "wherein the customer sales information is based on the external credit rating information" (Final Action at pages 2, 6, 9, 12, 13 and 14) has not been argued as grounds for patentability by Appellant, yet this is the only claim recitation for which Land is cited.

Accordingly, Appellants respectfully submit that the rejection of Claim 1 is improper for at least the foregoing reasons.

Claims 2-20 depend from Claim 1 and therefore the rejections of those claims are improper as well for at least these reasons. At least certain of the dependent claims are independently patentable over the cited art as discussed below. In support of all of the rejections of Claims 2-20, the Examiner merely cites the same passages from Birkhead as mentioned above.

2. Claim 2 is Patentable over Birkhead in view of Land

Claim 2 depends from Claim 1 and further recites that "the terminal is a wireless

communication device and the request is sent to the CSIPC server using a wireless signal". Birkhead does not teach or suggest a method as claimed, wherein a remote sales representative terminal communicates with a CSIPC server wirelessly or via a PSTN or the Internet.

3. Claim 3 is Patentable over Birkhead in view of Land

Claim 3 depends from Claim 1 and further recites that "the terminal and the CSIPC server communicate via a public switched telephone network (PSTN)". Birkhead does not teach or suggest a method as claimed, wherein a remote sales representative terminal communicates with a CSIPC server wirelessly or via a PSTN or the Internet.

4. Claim 4 is Patentable over Birkhead in view of Land

Claims 4 depends from Claim 1 and further recites that "the terminal and the CSIPC server communicate via the Internet". Birkhead does not teach or suggest a method as claimed, wherein a remote sales representative terminal communicates with a CSIPC server wirelessly or via a PSTN or the Internet.

5. Claim 8 is Patentable over Birkhead in view of Land

Claim 8 depends from Claim 7, which recites:

7. The method of Claim 1 wherein:
 - a) the request includes a first customer identifier corresponding to the customer;
 - b) the method further comprises associating the first customer identifier with a second customer identifier using the CSIPC server; and
 - c) the step of retrieving the external credit information includes providing the second customer identifier to the ECRA system.

Claim 8 further recites "wherein the first customer identifier is a telephone number." Birkhead does not teach or suggest using a telephone number as a first customer identifier.

6. Claim 14 is Patentable over Birkhead in view of Land

Claim 14 depends from Claims 1, 10 and 13 and further recites “wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.” Birkhead does not teach or suggest sending customer sales information to a remote sales representative’s terminal, wherein the sale information includes a sales term including at least one of a maximum sale amount and a required down payment.

7. Claim 15 is Patentable over Birkhead in view of Land

Claim 15 further recites, *inter alia*:

- a) the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal;
- b) the request includes a telephone number corresponding to the customer;
- c) the method further comprises associating the telephone number with a customer identifier using the CSIPC server;

Accordingly, Claim 15 is further patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claims 2 and 8.

8. Claim 19 is Patentable over Birkhead in view of Land

Claim 19 depends from Claim 1 and further recites “wherein the sales representative is a sales representative for a vendor of business directory advertisements, and further comprising offering to sell the customer a business directory advertisement.” Birkhead only discloses a method for determining and communicating whether a credit limit can be increased. Birkhead does not disclose a method for selling business directory advertisements.

9. Claim 21 is Patentable over Birkhead in view of Land

Independent Claim 21 is patentably distinguishable from the cited art for at least the

reasons discussed above with regard to Claims 1 and 2.

10. Claim 22 is Patentable over Birkhead in view of Land

Claim 22 depends from Claim 21 and is further patentably distinguishable from the cited art for the reasons discussed above with regard to Claim 3.

11. Claim 23 is Patentable over Birkhead in view of Land

Claim 23 depends from Claim 21 and is further patentably distinguishable from the cited art for the reasons discussed above with regard to Claim 4.

12. Claims 24 and 25 are Patentable over Birkhead in view of Land

Independent Claim 24 is patentably distinguishable from the cited art for at least the reasons discussed above with regard to Claims 1 and 8. Claim 25 depends from Claim 24. Appellant notes that Land is not referenced in support of the Examiner's rejection of Claim 24 (Final Action, page 7).

13. Claims 26 and 28-31 are Patentable over Birkhead in view of Land

Independent Claim 26 includes the limitations of former Claim 27, and is therefore allowable for at least the reasons discussed above with regard to Claim 14. Claims 28-31 depend from Claim 26. Appellant notes that Land is not referenced in support of the Examiner's rejection of Claim 26 (Final Action, page 8).

14. Claim 34 is Patentable over Birkhead in view of Land

Independent Claim 34 recites a system for providing customer sales information corresponding to Claim 1. Accordingly, Claim 34 is patentable over the cited art for at least the reasons discussed above with regard to Claim 1.

15. Claim 35 is Patentable over Birkhead in view of Land

Independent Claim 35 recites a system for providing customer sales information

corresponding to Claim 21. Accordingly, Claim 35 is patentable over the cited art for at least the reasons discussed above with regard to Claim 21. Appellant notes that Land is not referenced in support of the Examiner's rejection of Claim 35 (Final Action, page 10).

16. Claim 36 is Patentable over Birkhead in view of Land

Independent Claim 36 recites a system for providing customer sales information corresponding to Claim 24. Accordingly, Claim 36 is patentable over the cited art for at least the reasons discussed above with regard to Claim 24. Appellant notes that Land is not referenced in support of the Examiner's rejection of Claim 36 (Final Action, page 11).

17. Claim 37 is Patentable over Birkhead in view of Land

Independent Claim 37 recites a system for providing customer sales information corresponding to Claim 26. Accordingly, Claim 37 is patentable over the cited art for at least the reasons discussed above with regard to Claim 26. Appellant notes that Land is not referenced in support of the Examiner's rejection of Claim 37 (Final Action, page 11).

18. Claim 39 is Patentable over Birkhead in view of Land

Independent Claim 39 recites a computer program product for providing customer sales information corresponding to Claim 1. Accordingly, Claim 39 is patentable over the cited art for at least the reasons discussed above with regard to Claim 1.

19. Claim 40 is Patentable over Birkhead in view of Land

Independent Claim 40 recites a computer program product for providing customer sales information corresponding to Claim 21. Accordingly, Claim 40 is patentable over the cited art for at least the reasons discussed above with regard to Claim 21.

20. Claim 41 is Patentable over Birkhead in view of Land

Independent Claim 41 recites a computer program product for providing customer sales information corresponding to Claim 24. Accordingly, Claim 41 is patentable over the

cited art for at least the reasons discussed above with regard to Claim 24.

21. Claim 42 is Patentable over Birkhead in view of Land

Independent Claim 42 recites a computer program product for providing customer sales information corresponding to Claim 26. Accordingly, Claim 42 is patentable over the cited art for at least the reasons discussed above with regard to Claim 26. Appellant notes that Land is not referenced in support of the Examiner's rejection of Claim 42 (Final Action, page 15).

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CONCLUSION

On the entire record and in view of all the cited references, Appellant submits that Claims 1-26, 28-31, 34-37 and 39-42 are patentable under Section 103(a). Accordingly, it is respectfully requested that the Examiner's conclusions be reversed, and that this case be passed to issuance.

Respectfully submitted,



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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 10, 2008.

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Katie Wu

APPENDIX OF CLAIMS

1. (Previously Presented) A method for providing customer sales information, the method comprising:
 - a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server;
 - b) retrieving external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization; and
 - c) sending the customer sales information from the CSIPC server to the terminal, wherein the customer sales information is based on the external credit rating information.
2. (Original) The method of Claim 1 wherein the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal.
3. (Original) The method of Claim 1 wherein the terminal and the CSIPC server communicate via a public switched telephone network (PSTN).
4. (Original) The method of Claim 1 wherein the terminal and the CSIPC server communicate via the Internet.
5. (Original) The method of Claim 1 wherein the customer sales information is sent from the CSIPC server to the terminal as a textual and/or graphical message.
6. (Original) The method of Claim 5 further comprising displaying the textual and/or graphical message on a display of the terminal.

7. (Original) The method of Claim 1 wherein:
 - a) the request includes a first customer identifier corresponding to the customer;
 - b) the method further comprises associating the first customer identifier with a second customer identifier using the CSIPC server; and
 - c) the step of retrieving the external credit information includes providing the second customer identifier to the ECRA system.
8. (Original) The method of Claim 7 wherein the first customer identifier is a telephone number.
9. (Original) The method of Claim 8 wherein the customer sales information includes the name of the customer.
10. (Original) The method of Claim 1 wherein:
 - a) the method further comprises retrieving internal customer information associated with the customer by the business organization from a database of the CSIPC server; and
 - b) the customer sales information is also based on the internal customer information.
11. (Original) The method of Claim 10 wherein the internal customer information includes payment history information.
12. (Original) The method of Claim 10 further comprising determining an internal customer rating based on both the external credit rating and the internal customer information, wherein the customer sales information includes the internal customer rating.

13. (Original) The method of Claim 10 further comprising determining a sales term based on at least one of the external credit rating and the internal customer information, wherein the customer sales information includes the sales term.

14. (Original) The method of Claim 13 wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

15. (Original) The method of Claim 1 wherein:

- a) the terminal is a wireless communication device and the request is sent to the CSIPC server using a wireless signal;
- b) the request includes a telephone number corresponding to the customer;
- c) the method further comprises associating the telephone number with a customer identifier using the CSIPC server;
- d) the step of retrieving the external credit information includes providing the customer identifier to the ECRA system;
- e) the method further comprises retrieving payment history information associated with the customer by the business organization from a database of the CSIPC server; and
- f) the customer sales information is also based on the payment history information.

16. (Original) The method of Claim 15 further comprising determining an internal customer rating based on both the external credit rating and the internal customer information, wherein the customer sales information includes the internal customer rating.

17. (Original) The method of Claim 15 further comprising determining a sales term based on at least one of the external credit rating and the internal customer information, wherein the customer sales information includes the sales term.

18. (Original) The method of Claim 17 wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

19. (Previously Presented) The method of Claim 1, wherein the sales representative is a sales representative for a vendor of business directory advertisements, and further comprising offering to sell the customer a business directory advertisement.

20. (Previously Presented) The method of Claim 1 including authenticating the sales representative to confirm that the sales representative is authorized to access the customer sales information.

21. (Previously Presented) A method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a wireless signal from a wireless communication device that is remote from the CSIPC server;
- b) retrieving customer rating information associated with the customer using the CSIPC server; and
- c) sending the customer sales information to the wireless communication device from the CSIPC server using a wireless signal, wherein the customer sales information is based on the customer rating information.

22. (Original) The method of Claim 21 wherein the wireless communication device and the CSIPC server communicate via a public switched telephone network (PSTN).

23. (Original) The method of Claim 21 wherein the wireless communication

device and the CSIPC server communicate via the Internet.

24. (Previously Presented) A method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number;
- b) retrieving customer rating information associated with the telephone number using the CSIPC server; and
- c) sending the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information.

25. (Original) The method of Claim 24 wherein the customer sales information includes the name of a customer associated with the telephone number in a database of the CSIPC server.

26. (Previously Presented) A method for providing customer sales information, the method comprising:

- a) sending a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization;
- b) retrieving customer rating information associated with the customer using the CSIPC server; and
- c) automatically determining a sales term using the CSIPC server,

wherein the sales term is based on the customer rating information; and

d) sending the sales term to the sales representative from the CSIPC server;

wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

27. (Cancelled)

28. (Original) The method of Claim 26 wherein the credit rating information includes an external credit rating from an external credit rating agency (ECRA) system.

29. (Original) The method of Claim 26 wherein:

a) the method further comprises retrieving internal customer information associated with the customer by a business organization associated with the CSIPC server from a database of the CSIPC server; and

b) the customer rating information includes the internal customer information.

30. (Original) The method of Claim 29 wherein the internal customer information includes payment history information.

31. (Original) The method of Claim 30 wherein the credit rating information further includes an external credit rating from an external credit rating agency (ECRA) system.

32. (Cancelled)

33. (Cancelled)

34. (Previously Presented) A system for providing customer sales information, the system comprising:

- a) a customer sales information processing and communication (CSIPC) server associated with and under the control of a business organization; and
- b) a terminal that is remote from the CSIPC server and operable to send a request for customer sales information associated with a customer from a sales representative of the business organization to the CSIPC server;
- c) wherein the CSIPC server is configured to:
 - receive the request from the terminal;
 - retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system, wherein the ECRA system is not associated with the organization; and
 - send the customer sales information to the terminal, wherein the customer sales information is based on the external credit rating information.

35. (Previously Presented) A system providing customer sales information, the system comprising:

- a) a customer sales information processing and communication (CSIPC) server associated with and under the control of a business organization; and
- b) a wireless communication device that is remote from the CSIPC server and operable to send a request for customer sales information associated with a customer from a sales representative of the business organization to the CSIPC server using a wireless signal;
- c) wherein the CSIPC server is configured to:
 - receive the request from the wireless communication device;
 - retrieve customer rating information associated with the customer using the CSIPC server; and

send the customer sales information to the wireless communication device using a wireless signal, wherein the customer sales information is based on the customer rating information.

36. (Previously Presented) A system for providing customer sales information, the system comprising:

a customer sales information processing and communication (CSIPC) server associated with and under the control of a business organization, wherein the CSIPC server is configured to:

receive a request for customer sales information associated with a customer from a sales representative of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number;

retrieve customer rating information associated with the telephone number; and

send the customer sales information to the terminal, wherein the customer sales information is based on the customer rating information.

37. (Previously Presented) A system for providing customer sales information, the system comprising:

a customer sales information processing and communication (CSIPC) server associated with and under the control of a business organization, wherein the CSIPC server is configured to:

receive a request from a sales representative of the business organization for customer sales information associated with a customer;

retrieve customer rating information associated with the customer;

automatically determine a sales term, wherein the sales term is based on the customer rating information; and

send the sales term to the sales representative;

wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

38. (Cancelled)

39. (Previously Presented) A computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

- a) computer readable program code configured to send a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server;
- b) computer readable program code configured to retrieve external credit rating information associated with the customer from an external credit rating agency (ECRA) system using the CSIPC server, wherein the ECRA system is not associated with the organization; and
- c) computer readable program code configured to send the customer sales information from the CSIPC server to the terminal, wherein the customer sales information is based on the external credit rating information.

40. (Previously Presented) A computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

- a) computer readable program code configured to send a request for customer sales information associated with a customer from a sales representative of a business organization to a customer sales information processing and communication

(CSIPC) server associated with and under the control of the business organization using a wireless signal from a wireless communication device that is remote from the CSIPC server;

b) computer readable program code configured to retrieve customer rating information associated with the customer using the CSIPC server; and

c) computer readable program code configured to send the customer sales information to the wireless communication device from the CSIPC server using a wireless signal, wherein the customer sales information is based on the customer rating information.

41. (Previously Presented) A computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

a) computer readable program code configured to receive a request for customer sales information sent from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization using a terminal that is remote from the CSIPC server, the request including a telephone number;

b) computer readable program code configured to retrieve customer rating information associated with the telephone number using the CSIPC server; and

c) computer readable program code configured to send the customer sales information to the terminal from the CSIPC server, wherein the customer sales information is based on the customer rating information.

42. (Previously Presented) A computer program product for providing customer sales information, the computer program product comprising:

a computer readable storage medium having computer readable program code embodied in the medium, the computer readable program code comprising:

a) computer readable program code configured to receive a request for customer sales information associated with a customer sent from a sales representative of a business organization to a customer sales information processing and communication (CSIPC) server associated with and under the control of the business organization;

b) computer readable program code configured to retrieve customer rating information associated with the customer using the CSIPC server; and

c) computer readable program code configured to automatically determine a sales term using the CSIPC server, wherein the sales term is based on the customer rating information; and

d) computer readable program code configured to send the sales term to the sales representative from the CSIPC server;

wherein the sales term includes at least one of a maximum allowed sale amount and a required down payment.

43. (Cancelled)

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EVIDENCE APPENDIX

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RELATED PROCEEDINGS APPENDIX

NONE